

In the  
Indiana Supreme Court



IN THE MATTER OF THE )  
 )  
APPROVAL OF LOCAL RULES )  
 )  
FOR MADISON COUNTY )

Case No. 48S00-1107 -MS- 410

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Madison Circuit and Superior Courts (Madison Circuit Court, effective July 1, 2011) request the approval of an amended local rule for appointment of special judges in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Madison Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR48-TR79-20, complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Madison County Local Rule, LR48-TR79-20, set forth as an attachment to this Order, is approved effective July 1, 2011, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Dennis D. Carroll, Madison Circuit Court 6, 16 East Ninth Street, Anderson, IN 46016-1574; the Hon. Thomas L. Clem, Madison Circuit Court 5, 16 East Ninth Street, Anderson, IN 46016-1576; the Hon. Thomas Newman, Jr., Madison Circuit Court 3, 16 East Ninth Street, Anderson, IN 46016-1572; the Hon. G. George Pancol, Madison Circuit Court 2, 16 East Ninth Street, Anderson, IN 46016-1579; the Hon. Rudolph Pyle, III, Madison Circuit Court 1, 16 East Ninth Street, Box 27, Anderson, IN 46016-1575; the Hon. David A. Happe, Madison Circuit Court 4, 16 East Ninth Street, Anderson, IN 46016-1576; to the Clerk of the Madison Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Madison Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for

examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 1<sup>st</sup> day of July, 2011.

RT Shepard

Randall T. Shepard  
Chief Justice of Indiana

## **LR48-TR79-20 SPECIAL JUDGE SELECTION IN CIVIL AND JUVENILE CASES**

A. A copy of each pleading or each paper filed with the Court after a Special Judge has qualified shall be mailed or delivered by counsel to the office of that Special Judge with service to that Special Judge indicated on the certificate of service.

B. Pursuant to Trial Rule 79 (H), in the event a special judge needs to be appointed, the Madison County Clerk, on a rotating basis in consecutive order, shall appoint the eligible judge in Madison County as follows:

### **For all domestic relations or paternity cases:**

Presiding Judge of the Madison Circuit Court I  
Presiding Judge of the Madison Circuit Court VI  
Presiding Judge of the Madison Circuit Court II  
Presiding Judge of the Madison Circuit Court III

### **For all other case types:**

Presiding Judge of the Madison Circuit Court I  
Presiding Judge of the Madison Circuit Court VI  
Presiding Judge of the Madison Circuit Court II  
Presiding Judge of the Madison Circuit Court III  
Presiding Judge of the Madison Circuit Court IV  
Presiding Judge of the Madison Circuit Court V

C. Should none of the above-referenced judges accept jurisdiction due to disqualification pursuant to the Code of Judicial Conduct, ineligibility for service under Trial Rule 79, or excused from service by the Indiana Supreme Court, then the appointment shall be made at random by the Clerk from eligible judges within Administrative District 14 (Grant County Circuit, Grant County Superior Court Divisions I, II, III).

D. In the event that no judicial officer within Administrative District 14 is eligible to serve as special judge, or the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the judge of the court in which the case is pending shall certify the matter to the Indiana Supreme Court for appointment of a special judge.

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